

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at City Hall, 110 West Aztec Avenue, at 6:00 p.m. on Tuesday, February 10, 2015.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

Mayor:	Jackie McKinney
Councilors:	Linda Garcia Allan Landavazo Cecil Garcia
Absent:	Yogash Kumar, Councilor
Also present:	Maryann Ustick, City Manager George Kozeliski, City Attorney

Mayor McKinney said Councilor Kumar's absence is excused.

Presented to the Mayor and Councilors were the Minutes of the Special Meeting of January 20, 2015 and the Regular Meeting of January 27, 2015.

Councilor Cecil Garcia made the motion to approve the aforementioned Minutes. Seconded by Councilor Linda Garcia. Roll call: Councilors Cecil Garcia, Linda Garcia, and Mayor McKinney all voted aye. Councilor Landavazo abstained from voting on the Minutes of the January 20, 2015 Special Meeting and voted aye for the approval of the Minutes of the January 27, 2015 Regular Meeting. Motion carried.

Presented to the Mayor and Councilors were the following Discussion/Action Topics:

1. Approval of the Recommendations of the Metro Dispatch Board to Purchase and Move Emergency Communications Equipment (Software and Server) from 207 West Hill Avenue to 2215 Boyd Avenue – Georgene Dimas, Communications Director, McKinley County Metropolitan Dispatch Authority

Ms. Dimas presented the request as well as the County's Resolution to transfer \$100,000 from the Communications/EMS Fund to the Metro Dispatch Budget for purchasing and moving the equipment. Metro Dispatch experienced a system failure during the fall of 2014 which resulted in their system having to be operated on a test server. Since the server needs to be replaced, Ms. Dimas said it was the opportune time to replace the software as well.

Gerry Herrera, Information Technology Director for Metro Dispatch, answered questions regarding the purchase and replacement of the server and software.

MINUTES

Regular City Council Meeting – 2/10/2015

Page 2

Councilor Landavazo made the motion to approve the recommendations of the Metro Dispatch Board to purchase and move emergency communications equipment (software and server) from 207 West Hill Avenue to 2215 Boyd Avenue. Seconded by Councilor Cecil Garcia. Roll call: Councilors Landavazo, Cecil Garcia, Linda Garcia, and Mayor McKinney all voted aye.

2. Resolution No. R2015-9; Approval of the Submission of a Bureau of Reclamation Grant Application for the City's Smart Meter Replacement Program – Elizabeth Barriga, Water Conservation Coordinator

Ms. Barriga presented the request to submit a grant application to the Bureau of Reclamation for the City's Smart Meter Replacement Program. Under the grant application, the City will replace 344 old water meters to new Automatic Meter Reading (AMR) water meters.

Discussion followed concerning the water meters of the City's commercial customers that need to be replaced and the grant amount of \$74,862 which requires a match from the City in the amount of \$75,263. The match will be for in-kind services to be provided by City staff and expenses for supplies.

Councilor Linda Garcia made the motion to approve Resolution No. R2015-9. Seconded by Councilor Landavazo. Roll call: Councilors Linda Garcia, Landavazo, Cecil Garcia, and Mayor McKinney all voted aye.

3. Resolution No. R2015-6; A Resolution Adopting a City Residential Anti-Displacement and Relocation Assistance Plan for Calendar Year 2015 – Stan Henderson, Public Works Director

Mr. Henderson said when federal funds, such as Community Development Block Grant (CDBG) funds are used in a project involving the acquisition, rehabilitation, or demolition of real property, the Uniform Relocation Assistance and Real Properties Acquisition Policies Act (URA) may apply. The purpose of the URA is to provide fair and equitable treatment for persons whose real property is acquired or for persons displaced as a result of a CDBG funded project or activity. The proposed Resolution and Residential Anti-Displacement and Relocation Assistance Plan must be adopted on an annual basis regardless of whether the City is undertaking relocation activities.

Councilor Cecil Garcia made the motion to approve Resolution No. R2015-6. Seconded by Councilor Linda Garcia. Roll call: Councilors Cecil Garcia, Linda Garcia, Landavazo, and Mayor McKinley all voted aye.

MINUTES

Regular City Council Meeting – 2/10/2015

Page 3

4. Resolution No. R2015-7; A Resolution Adopting a HUD Section 3 Plan for Calendar Year 2015 – Stan Henderson, Public Works Director

Mr. Henderson said Section 3 is a provision of the Housing and Urban Development (HUD) Act of 1968 that helps foster local economic development, neighborhood economic improvement and individual self-sufficiency. The program requires recipients of certain HUD financial assistance such as CDBG funds, to provide job training, employment and contracting opportunities for low or very low income residents in connection with projects and activities in their community to the greatest extent feasible. The proposed Resolution and HUD Section 3 Plan must be adopted on an annual basis for CDBG projects.

Councilor Linda Garcia made the motion to approve Resolution No. R2015-7. Seconded by Councilor Landavazo. Roll call: Councilors Linda Garcia, Landavazo, Cecil Garcia, and Mayor McKinney all vote aye.

5. Resolution No. R2015-8; 2015 Community Development Block Grant (CDBG) Citizens Participation Plan – Stan Henderson, Public Works Director

Mr. Henderson said a Citizen Participation Plan is a federal requirement for grantees receiving CDBG funds. The Citizen Participation Plan states that citizens will be provided with reasonable notice and timely access to local meetings to solicit their input and project ideas for the CDBG program. The proposed Resolution and Citizen Participation Plan must be adopted on an annual basis for CDBG projects.

Discussion followed concerning the lack of attendance during public meetings that are held to solicit input and project ideas for the CDBG program.

Following discussion, Councilor Landavazo made the motion to approve Resolution No. R2015-8. Seconded by Councilor Cecil Garcia. Roll call: Councilors Landavazo, Cecil Garcia, Linda Garcia, and Mayor McKinney all voted aye.

6. 2015 CDBG Fair Housing Proclamation – Stan Henderson, Public Works Director

Mr. Henderson said as a requirement for CDBG funding, each local government must annually certify that it will affirmatively further fair housing. He presented the proposed Fair Housing Proclamation which publicizes the City's commitment to fair housing and proclaims Tuesday, February 17, 2015 as Fair Housing Day in Gallup.

MINUTES

Regular City Council Meeting – 2/10/2015

Page 4

Councilor Linda Garcia made the motion to approve the 2015 CDBG Fair Housing Proclamation. Seconded by Councilor Landavazo. Roll call: Councilors Linda Garcia, Landavazo, Cecil Garcia, and Mayor McKinney all voted aye.

7. 2015 Transportation Alternative Program (TAP) Funding Acceptance for Downtown NM Highway 118 Pedestrian Safety Improvements – Stan Henderson, Public Works Director

Mr. Henderson presented the proposed agreement with the New Mexico Department of Transportation (NMDOT) for the 2015 TAP funding in the amount of \$591,793 including the City's match. The proposed funding is earmarked for the NM Highway 118 Pedestrian Safety Improvement Project. Mr. Henderson said the proposed agreement concerns City staff since it mixes the City's 2013 legislative grant for planning, engineering and construction costs into the TAP funding, which is restricted solely for the construction costs of the project. The Mayor and Councilors previously accepted the legislative funding agreement at the June 24, 2014 Regular Council Meeting. Mr. Henderson recommended approval of the proposed funding agreement with the condition that NMDOT modifies the agreement language to clarify the funding restrictions on its use.

Ms. Ustick concurred with Mr. Henderson's recommendation and expressed concerns with the amount of time it has taken to secure the funding for the project due to the City's difficulties with the State. Mayor McKinney asked about a projected timeframe for proceeding with the project. Mr. Henderson said the City needs to clarify right-of-way issues raised by the NMDOT which should be completed by the end of the month. The project is expected to be advertised for bids by March 2015 with the award of the construction contract in April 2015.

Councilor Landavazo made the motion to approve the 2015 Transportation Alternative Program Funding Agreement for the NM Highway 118 Pedestrian Safety Improvement Project. Seconded by Councilor Cecil Garcia. Roll call: Councilors Landavazo, Cecil Garcia, Linda Garcia, and Mayor McKinney all voted aye.

8. North Side Skate Park Site Selection – Stan Henderson, Public Works Director

Mr. Henderson said State Representative Patty Lundstrom obtained \$40,000 from the 2014 Legislature for planning the relocation and design of a new skate park on the city's north side. The City's existing skate park located behind Lincoln Elementary School is proposed for demolition due to the planned expansion of the school. Mr. Henderson introduced Greg Miller of MRWM Landscape Architects, who provided a PowerPoint

MINUTES

Regular City Council Meeting – 2/10/2015

Page 5

Presentation on the pros and cons of the following three proposed locations for the skate park: 1) Multi-Cultural Center's east parking lot; 2) Ford Drive and Montoya intersection near the We the People Park; and 3) Larry Brian Mitchell and Harold Runnels Recreation Complex. A copy of the PowerPoint presentation is attached hereto, marked as Exhibit "A" and made an official part of these Minutes.

Mayor McKinney asked if there was a cost estimate and an average square footage for the proposed skate park. Mr. Miller said a budget of \$250,000 would be applicable to any of the three proposed sites and the skate park would be 10,000 square feet in size.

Councilor Linda Garcia expressed concerns with the Larry Brian Mitchell and Harold Runnels Recreation Complex as a site for the skate park due to its close proximity to the nearby residential area. She preferred the We the People Park location since the area is farther away from the neighborhood. She also recommended conducting a survey of the nearby residents to obtain their input regarding the location for the proposed skate park. Discussion followed concerning the noise levels of the skate park; the times for having the park open for public use; the language in Rep. Lundstrom's sponsored legislation to locate the park north of Highway 66 and other proposed areas for the location of the skate park.

Councilor Landavazo agreed with Councilor Linda Garcia regarding her concerns about locating the skate park at the Larry Brian Mitchell and Harold Runnels Recreation Complex. Councilor Landavazo expressed concerns with the location near the intersection of Ford Drive and Montoya Boulevard since the property is considered prime real estate due to its location near Interstate 40. He said the City may be able to sell the property to a developer to create economic development in the area. With the pending pedestrian upgrades to be done on NM Highway 118, Councilor Landavazo favored the Multi-Cultural Center location since it will create a safer atmosphere for young people and may stimulate the economy downtown.

Councilor Cecil Garcia also discouraged the placement of the skate park at the Larry Brian Mitchell and Harold Runnels Recreation Complex since it may result in the structures being tagged with graffiti. He recommended the Ford Drive and Montoya intersection location; however, he also agreed with Councilor Landavazo regarding the future potential options for use of the property. He also recommended the Multi-Cultural Center location for the proposed skate park.

Mayor McKinney said there will be a loss of parking spaces and the lack of amenities if the Multi-Cultural Center is selected. He also expressed concerns with the unsafe conditions for pedestrians crossing Montoya Boulevard if the We the People location was selected. Although the Larry Brian Mitchell and Harold Runnels Recreation

MINUTES

Regular City Council Meeting – 2/10/2015

Page 6

Complex has many recreational benefits, he understands the concerns with increased noise levels should the complex be selected for the park. Mayor McKinney said the proposed skate park is part of the City's legislative priorities for capital projects; therefore, the park may be an attainable item if all of the local legislators participate by allocating a portion of their capital outlay funds towards the project. Mayor McKinney recommended tabling the item until funding for the project has been determined by the Legislature.

Councilor Landavazo suggested contacting Rep. Lundstrom about amending the language in the proposed legislation to expand the site possibilities for the park.

Fitz Sargent presented his comments regarding the downtown area in which skateboarding is prohibited; skateboarding being a social activity which is usually done in public places away from recreational areas; his observation regarding the skate park in Silver City; and the lack of parking facilities needed for a skate park. Regarding the skate park selection, Mr. Sargent recommended the location of where the Northwest New Mexico Council of Governments building will soon be demolished due to the bridge reconstruction on South Second Street. The site has 12,400 square feet and the area will have a pit when the reconstruction of the bridge is complete. He recommended that the Mayor and Councilors table the item and obtain the input of the local youth.

Jeremy Todacheene, a local skateboarder, said he preferred the Ford Drive and Montoya intersection location because the space is vacant, wide-open and visible from the freeway. He also preferred the location next to the Red Rock 10 Theaters since there is a convenience store located nearby and is also visible from the freeway. Mr. Todacheene said the existing skateboard park is in terrible condition and he agreed with Mr. Sargent's comments since he likes skateboarding in the downtown area. He is also willing to share with City officials the research he compiled regarding the construction of a new skate park.

Ceslie Todacheenie, a local skateboarder, agreed with the comments expressed by Mr. Todacheene and Mr. Sargent. She also preferred the Ford Drive and Montoya intersection and the Multi-Cultural Center locations; however, she disliked the Larry Brian Mitchell and Harold Runnels Recreation Complex because the area is hidden and may attract illegal activity by non-skateboarders and gang members. Ms. Todacheene said a new skate park may attract traveling professional skateboarding teams to stop in Gallup.

An audience member who identified himself as Jeremy, spoke against the Multi-Cultural Center and the Larry Brian Mitchell and Harold Runnels Recreation Complex locations since the site has no visibility from the outside. He spoke in favor of the Ford Drive and

MINUTES

Regular City Council Meeting – 2/10/2015

Page 7

Montoya intersection location since the area is highly visible which may attract people to the skate park and nearby recreation areas.

Since the legislation requires the skate park to be located on the city's north side, Councilor Cecil Garcia asked the Mayor and Councilors to consider Mr. Sargent's suggestion for selecting the site on South Second Street. Councilor Cecil Garcia said the South Second Street site is located in the north side district and by selecting the site, skateboarders could spend their money at downtown restaurants. Mr. Kozeliski said the site for the skate park must be located north of Highway 118. Councilor Cecil Garcia said he agreed with the skateboarders and recommended the Ford Drive and Montoya intersection location.

Mayor McKinney recommended tabling the item until funding for the skate park has been determined by the Legislature and additional input is received by the community.

Following discussion, Councilor Cecil Garcia made the motion to table the North Side Skate Park site selection. Seconded by Councilor Landavazo. Roll call: Councilors Cecil Garcia, Landavazo, Linda Garcia, and Mayor McKinney all voted aye.

Comments by Public on Non-Agenda Items

None.

Comments by Mayor and City Councilors

Councilor Linda Garcia said she is thankful for the proposed skate park and was happy that the park is going to be located on the north side of town. She expressed support for local economic development and activities for the youth. She invited Mr. Henderson and the local youth to her District Meeting to discuss the proposed skate park. The meeting will be held on Wednesday, February 25, 2015 at 6:30 p.m. at the North Side Senior Center.

At the request of Councilor Landavazo, Mr. Kozeliski provided an update on the status of the City's purchase of the electric substations from Public Service Company of New Mexico (PNM). Mr. Kozeliski said it was originally believed that the price of the five substations would be from \$3 million to about \$7 million. The appraisals were completed last December and the City's appraisal was slightly higher than the appraisal conducted by PNM. The five sites came in at \$2,570,000 and the City agreed to an additional \$50,000 for the real property at the substations. The total cost to the City will be \$2.6 million. Mr. Kozeliski also reported on PNM's delay in drafting the agreement for the substation transaction. Councilor Landavazo also provided his comments about an article in the Gallup Independent regarding Coach Kamau Turner and the Gallup High School Girls Basketball Team. The New Mexico Activities Association (NMAA)

MINUTES

Regular City Council Meeting – 2/10/2015

Page 8

recognized Coach Turner for his positive coaching and Gallup High School Girls Basketball team for the team's sporting behavior during a game in Aztec. Councilor Landavazo also commented on Gallup-McKinley County Day at the Legislature and their visit with Tom Wagner of the Department of Veterans Affairs in Senator George Munoz's office. Once learning about Mr. Wagner's service in Vietnam during the late 1960's, Mayor McKinney thanked Mr. Wagner for his service and welcomed Mr. Wagner home. Councilor Landavazo said Mr. Wagner was very moved by Mayor McKinney's kindness, so many years after Mr. Wagner's service in the Armed Forces. Councilor Landavazo said Mayor McKinney's gesture was about leadership since the Mayor's action was not done in front of an audience. Councilor Landavazo encouraged everyone to follow suit and to welcome home and thank all Veterans for their service to our country. Councilor Landavazo also reminded everyone to buy, believe and build Gallup.

Councilor Cecil Garcia said he previously asked about the problem with the lack of food being available at the South Side Senior Center at the last regular meeting. He expressed his concerns about the problem because it reoccurred when he was there earlier in the day. Patty Holland, Chief Financial Officer, said there are staffing issues which have impacted the services at the Senior Center. She also said some of the seniors that are being turned away are showing up for lunch at 1:00 p.m. when the serving time for lunch has concluded. Councilor Cecil Garcia recommended the placement of a sign at the entrance to the Senior Center advising patrons to be at the Center no later than 12:30 p.m. if they wish to have lunch. Councilor Cecil Garcia commented C.B. Strain, City Planner, for coming to the aid of the Pastor at the Church of the Nazarene when an inebriated person attacked the Pastor. Councilor Cecil Garcia said he had a conversation with the Pastor about enabling of inebriates by feeding them. As a result, the Pastor reduced the amount of serving times from five days to one day a week. Councilor Cecil Garcia also shared his experience about volunteering at Casa San Martin when he returned to Gallup years ago. He also commented about a fight that broke out amongst six inebriates at Catholic Charities last year when Sister Rose Marie was by herself at the location. Councilor Cecil Garcia said the problem exists in the community because the community enables inebriates.

Mayor McKinney said he does not believe accolades should be given to him about welcoming home Mr. Wagner since he and his wife have honoring Veterans in a similar way since the 1990s. Regarding the alcohol problem, Mayor McKinney said a summit consisting of a group of professionals has been conducted to discuss future options regarding the problem. Mayor McKinney said he is hopeful that a plan will be devised to address the urgent need issues in the future. Mayor McKinney said there were two legislative bills recently dropped; one by Rep. Lundstrom (House Bill 108) and the other by Senator Munoz (Senate Bill 522). Both Bills are concerning the creation of

MINUTES

Regular City Council Meeting – 2/10/2015

Page 9

investment zones in the state to drive the funding to the areas of greatest need in the state where alcohol related issues exist. Mayor McKinney encouraged everyone to contact their legislators to express support of both Bills.

Comments from City Manager

Ms. Ustick asked Vince Tovar, Gallup Water and Sanitation Director, to provide an update on the City's odor control program. Mr. Tovar said chemicals have been injected into the City's waste water system last month and to date all of the feed points are working properly. It may take a little time for the background and demand for the chemicals to be satisfied since deposits accumulate in the sewer system and generate hydrogen sulfide. Staff will soon be able to view the odor control program data online. Mayor McKinney asked for an update on the sinkhole in the Mentmore area. Mr. Tovar said the open hole has access to the sewer which has resulted in odors emanating in the area until the hole is covered. The sewer system in the Mentmore area is relatively flat and generates its own odors. In terms of adding chemicals, Mr. Tovar said there is no easy access and no water available which has caused concerns with City staff. Staff will take advantage of the current situation with the sinkhole and will install a deeper system which will accelerate the flow of waste water through the system. The deeper system should have a significant impact on resolving the odor problem in the area. Mayor McKinney asked about the time frame for repairing the system and closing the hole. Mr. Tovar said the contractor is scheduled to complete the project in three weeks. As part of the City's 5-year capital plan, Ms. Ustick said Mr. Tovar will be addressing the replacement of sewer lines as well as improvements to the waste water treatment plant.

Ms. Ustick said the City has received the award letters from the State for two \$50,000 grants; one grant for the Metropolitan Redevelopment Plan for the downtown area and the other grant to update the City's Comprehensive Plan. Ms. Ustick also thanked the Gallup Independent for their article on the Harold Runnels Athletic Complex. Although the facility will open on February 23, 2015, the ribbon-cutting ceremony will be conducted on March 2, 2015 at 11:00 a.m.

There being no further business, Councilor Landavazo made the motion to adjourn the meeting. Seconded by Councilor Linda Garcia. Roll call: Councilors Landavazo, Linda Garcia, Cecil Garcia, and Mayor McKinney all voted aye.

ATTEST:



Alfred Abeita II, City Clerk

Jackie McKinney, Mayor

Gallup Skatepark Site Comparison

Gallup City Council Presentation February 10, 2015

EXHIBIT A



LANDSCAPE ARCHITECTS
Morrow Reardon Wilkinson Miller, Ltd.

Option 1 – Multi-Cultural Center East Parking Lot



Overall Site Plan

Option 1 – Multi-Cultural Center East Parking Lot



Enlarged Site Plan

Option 1 – Multi-Cultural Center East Parking Lot



Existing Conditions

Option 1 – Multi-Cultural Center East Parking Lot

Pros:

- High visibility from adjacent streets
- Existing adjacent parking
- City owned land
- Nearby existing utilities

Cons:

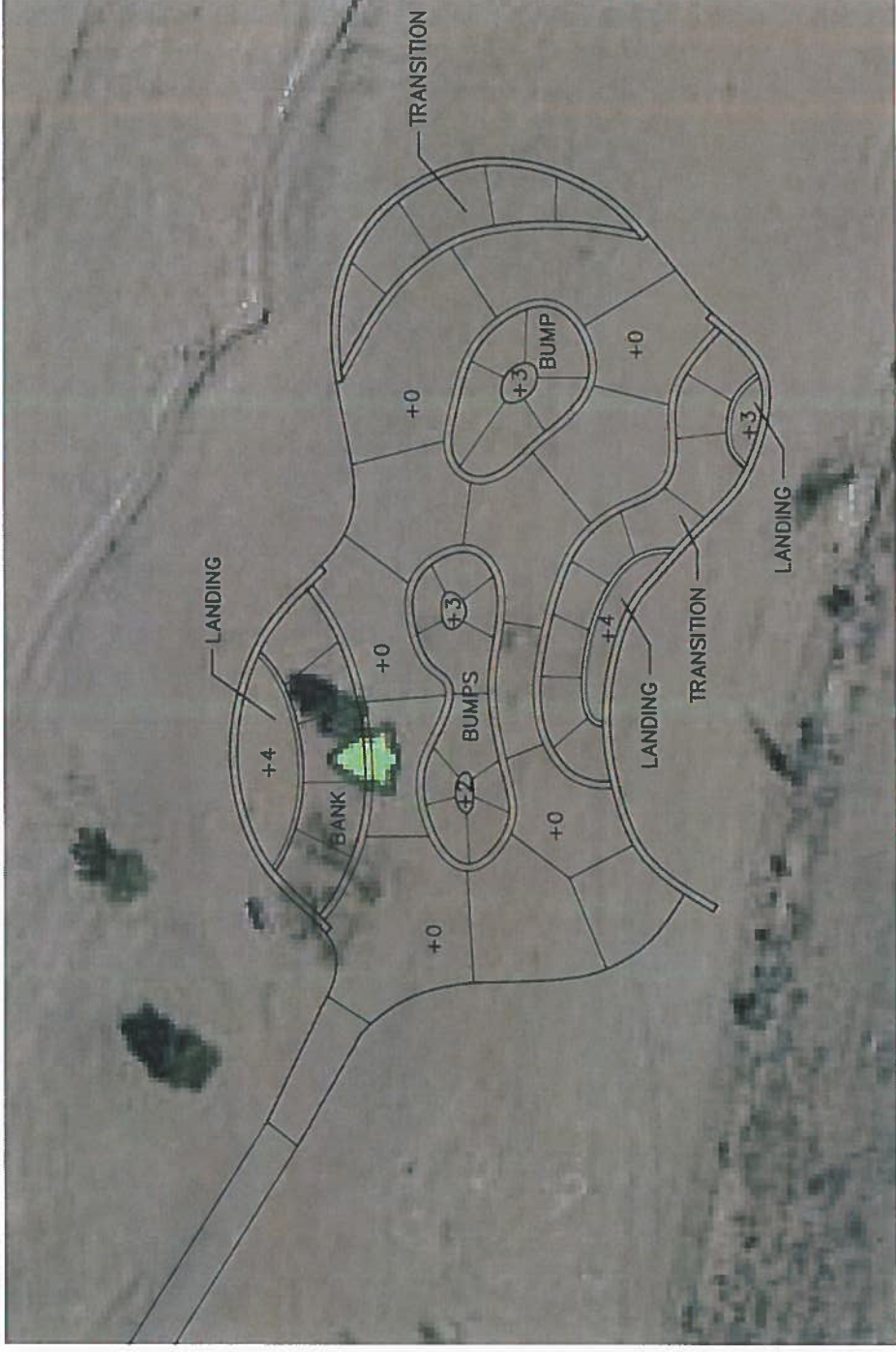
- May be an attractive nuisance
- Loss of parking
- Flat surface requires grading and possible revisions to storm drain
- Location is mid-block, may encourage unsafe pedestrian crossing
- Requires perimeter fencing between skatepark and parking
- Limited ability to expand

Option 2 – Ford Drive and Montoya Intersection



Overall Site Plan

Option 2 – Ford Drive and Montoya Intersection



Enlarged Site Plan

Option 2 – Ford Drive and Montoya Intersection



Existing Conditions

Option 2 – Ford Drive and Montoya Intersection

Pros:

- High visibility from adjacent streets
- Visibility from Interstate
- City owned land
- Design can be graded into existing topography
- Room for expansion
- No perimeter fencing required

Cons:

- Parking is inconvenient
- No adjacent utilities
- Pedestrian access requires crossing arterial roadways

Option 3 – Larry Bryan Mitchell and Harold Runnels Recreation Complex



Overall Site Plan

Option 3 – Larry Bryan Mitchell and Harold Runnels Recreation Complex



Enlarged Site Plan

Option 3 – Larry Bryan Mitchell and Harold Runnels Recreation Complex



Existing Conditions

Option 3 – Larry Bryan Mitchell and Harold Runnels Recreation Complex

Pros:

- City owned land
- Utilities located on-site
- Existing restroom and group shade structures
- Design can be graded into existing topography
- Room for expansion into other areas of the park
- No perimeter fencing required

Cons:

- Visibility is limited from some vantage points